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EXAMINER

JAKOVAC, RYAN J

ART UNIT	PAPER NUMBER
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4121

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/781,392

Applicant(s)

GEROVSKI ET AL.

Examiner

Ryan J. Jakovac

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/18/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

This action is responsive to communication filed on 02/18/2004.

Claims 1-22 are pending for examination.

Claims 1-22 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-7, ~~8-11~~, 13-16, and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 2004/0088393 to Bullen et al (hereinafter Bullen).

With respect to claim 1, Bullen teaches a system comprising: a hub (Fig. 1, number 10, Storage Hub); at least one process management system that is located remotely with respect to the hub and that operably communicates with the hub (Fig. 1, number 14-1, 14-2, External management system, Also Fig. 2, Server 12-1); at least one service provider that is located remotely with respect to both the hub and the at least one process management system and that operably communicates with the hub. (Fig. 1, number 12-1, 12-2, server)

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With respect to claim 2, Bullen teaches the system of claim 1 wherein the hub further comprises a communications interface that operably couples to the at least one process management system and the at least one service provider (Paragraph [0037-0040], The hub uses the I/O controller (Fig. 2, number 24), the switches (Fig. 2, number 22-1, 22-2), and the management complex (Fig. 2, number 26) to communicate with the servers (Fig. 2, number 12-1, 12-2) and the external management system (Fig. 2, number 14).).

With respect to claim 3, Bullen teaches the system of claim 2 wherein the communications interface has no native compatibility with either of the at least one process management system and the at least one service provider. (Paragraph [0037-0040], The servers and external management systems are connected to the hub through the I/O controller which converts signals between a native protocol of the network and a local protocol used by the storage hub.).

With respect to claim 4, Bullen teaches the system of claim 3 wherein the at least one process management system (Fig. 1, number 14-1, 14-2, External management system) operably couples to the communications interface via a first data translation and manipulation unit (Fig. 2, number 26, Management Complex); and the at least one service provider (Fig. 2, number 12-1, 12-2, server) operably couples to the communications interface via a second data translation and manipulation unit (Fig. 2, number 24, I/O Controller.).

With respect to claim 5, Bullen teaches the system of claim 4 wherein: the first data translation and manipulation unit (Fig. 2, number 26, Management Complex) has a process management system interface that is compatible with the process management system (Fig. 2, The Management Complex communicates with the external management system) and a communications interface interface that is compatible with the communications interface (Fig. 2, The management complex is linked to the switch and I/O controller.); and the second data translation and manipulation unit (Fig. 2, number 24, I/O Controller.) has a service provider interface that is compatible with the service provider (Fig. 2, The I/O controller is in communication with the server.) and a communications interface interface that is compatible with the communications interface. (Fig. 2, The I/O controller is linked to the switches.)

With respect to claim 6, Bullen teaches the system of claim 1 wherein the hub further comprises a data translation and manipulation unit registry (Fig. 2, Management Complex) that identifies at least some of the data translation and manipulation units to which the hub has access via a communications interface (The I/O Controller and switches 22-1 and 22-2 are under common management control by the management complex to allow data blocks to be sent to and received from the storage hub.).

With respect to claim 7, Bullen teaches the system of claim 1 wherein the hub further comprises a content registry that identifies at least some discrete content as

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offered by at least one service provider. (Paragraph [0092-0095], The CDA (i.e. content registry receives and stores data sent from the server (i.e. service provider). This data can then be accessed by components of the hub. Fig. 2, number 16 shows the CDA.)

With respect to claim 9, Bullen teaches the system of claim 7 wherein at least one item of the discrete content comprises a catalog. (Paragraph [92-93] The server sends data requests including data block identifiers which are kept in a table (i.e. catalog).)

With respect to claim 10, Bullen teaches the system of claim 1 wherein the hub further comprises a first registry that identifies at least one process management system that is authorized to access the hub (Paragraph [0056], The control processors of the management complex (Fig. 4) perform configuration management functions including monitoring operating states for the memory sections, I/O controllers, switches, and the device drivers of the servers. The external management system (i.e. process management system) is connected to the management complex that is used to set parameter values for the management complex of the storage hub.).

With respect to claim 11, Bullen teaches the system of claim 10 wherein the hub further comprises a second registry that identifies at least some of the data translation and manipulation units to which the hub has access via a communications interface (Paragraph [0040], The I/O controller and switches are under common management

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control by the management complex.) and wherein the first registry further identifies which of the data translation and manipulation units the at least one process management system is authorized to access (Paragraph [0056], The control processors of the management complex (Fig. 4) perform configuration management functions including monitoring operating states for the memory sections, I/O controllers, switches, and the device drivers of the servers. The external management system (i.e. process management system) is connected to the management complex that is used to set parameter values for the management complex of the storage hub.).

With respect to claim 13, Bullen teaches the system of claim 11 wherein the first registry comprises the second registry. (Fig. 4, Shared memory of management complex is used by multiple control processors. Administration processors also share a storage device.)

With respect to claim 14, Bullen teaches the system of claim 1 wherein the hub further comprises a logger that contains information comprising an audit trail that reflects at least some instances of the process management system accessing the hub (Paragraph [0047], The management complex gathers administrative information including data read and written from the server (i.e. process management system).).

With respect to claim 15, Bullen teaches the system of claim 1 wherein the hub further comprises at least one of a synchronous router (Paragraph [0094], Synchronous

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routing through a switch.) and an asynchronous router (Paragraph [0042], Asynchronous transfer mode through the switch and communications interface.).

With respect to claim 16, Bullen teaches the system of claim 15 wherein the hub further comprises both a synchronous router (Paragraph [0094], Synchronous routing through a switch.) and an asynchronous router (Paragraph [0042], Asynchronous transfer mode through the switch and communications interface.).

With respect to claim 19, Bullen teaches a method to facilitate accessing a given service provider via a data network comprising: at a process manager platform (Fig. 2, number 10, Storage hub): identifying at least one of the given service provider and a product that corresponds to the given service provider to provide a communication target (Paragraph [0034], The storage hub receives a request from the server (i.e. service provider) to store data (i.e. product).); automatically using a data translation and manipulation process to access a hub via the data network (Fig. 2, Server access the hub via the I/O controller.); receiving a response from the hub; automatically using the response to facilitate establishing communications via the data network with the given service provider (Paragraph [0033], In response to a server request the storage hub reads the data from the location in which it is stored and sends it to the server requesting the data.).

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With respect to claim 20, Bullen teaches the method of claim 19 wherein the process manager platform (Fig. 3, number 10, Storage hub) comprises a learning management system (Fig. 2, number 26, Management complex).

With respect to claim 21, Bullen teaches the method of claim 19 wherein using a data translation and manipulation process to access a hub via the data network further comprises: receiving a message from the data translation and manipulation process to provide additional information (Paragraph [0045], The device driver of the server requests a data block.); automatically providing at least some of the additional information to the data translation and manipulation process (The memory section retrieves the data block and transmits it through a switch to the device driver of the server from which the request originated.).

2. Claims 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Theilmann, U.S. 2003/0152903.

With respect to claim 17, Theilmann teaches an eLearning system comprising:
a hub (Paragraph [0056], The communications link includes a hub coupled to the learning system 620.); at least one learning management system that is located remotely with respect to the hub and that operably communicates with the hub (Fig. 6, number 610, The learning station 610 is a learning management system that operates software applications including a browser to access the learning system 620, paragraph

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[0056]); at least one human resources management system provider that is located remotely with respect to the hub and that operably communicates with the hub (Fig. 6, number 625, The content management system 625 is a human resources management system provider which includes information about courses and structural elements.

Paragraph [0059] The content management system 625 communicates with the learning management system 637.); at least one courseware service provider that is located remotely with respect to the hub, the at least one learning management system, and the human resources management system and that operably communicates with the hub. (Fig. 6, number 627, The administration management system 627 is a courseware service provider, which includes a database to provide information about courses. Paragraph [0061], The administration management system 627 communicates with the learning management system 637.)

With respect to claim 18, Theilmann teaches the eLearning system of claim 17 wherein the learning management system and the human resources management system initiate communications with one another via the hub. (Paragraph [0060] The content management system contains information that is used to present a course to a learner at the learning station.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8, 12, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bullen in view of US U.S. 2003/0152903 to Theilmann.

With respect to claim 8, Bullen teaches the system of claim 7, Bullen does not teach but Theilmann teaches wherein the content registry further identifies which process management systems are permitted access to which items of the discrete content (Theilmann, Paragraph [0058] Items in the administration management system database (i.e. content registry) provide learner account information corresponding to a learner at a learner station (i.e. process management system).).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine wherein the content registry further identifies which process management systems are permitted access to which items of the discrete content as taught by Theilmann with the system of Bullen in order to identify courses for a user in a online learning system (Theilmann, paragraph [0072].).

With respect to claim 12, Bullen teaches the system of claim 11, Bullen does not teach but Theilmann teaches wherein the first registry and the second registry are discrete from one another. (Paragraph [0058-0059] The information in the database of

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the administration management system (i.e. first registry) specifying user accounts is separate from the content repository (i.e. second registry).)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine wherein first registry and the second registry are discrete from one another as taught by Theilmann with the system of Bullen in order to be able to store the content that is included in the course and assembled for presentation to the learner in an online learning system as well as to provide a database of learner accounts and course information (Theilmann, paragraph [0058-0059].)

With respect to claim 22, Bullen teaches the method of claim 19, Bullen does not teach but Theilmann teaches wherein receiving a response from the hub further comprises receiving a Java object. (Paragraph [0056], The browser receives responses via the communications link which includes a hub. In paragraph [0065] Theilmann teaches a browser receiving a java object.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine wherein receiving a response from the hub further comprises receiving a Java object as taught by Theilmann with the method of Bullen in order to be able to interpret, process, and present different types of information including Java (Theilmann, paragraph [0065]).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan J. Jakovac whose telephone number is (571) 270-5003. The examiner can normally be reached on Monday through Friday, 7:30 am to 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi T. Arani can be reached on (571) 272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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George Neurauch
Primary Examiner